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| <b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b><br><br>Mail Stop: RCE<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | Application Number     | <b>10/797,857</b>     |
|  | Filing Date            | <b>March 10, 2004</b> |
|  | First Named Inventor   | <b>Fordham</b>        |
|  | Art Unit               | <b>2161</b>           |
|  | Examiner Name          | <b>Paul Kim</b>       |
|  | Confirmation Number    | <b>3724</b>           |
|  | Attorney Docket Number | <b>00,1247-A</b>      |

**This a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 for the above-identified application.**

1. SUBMISSION REQUIRED UNDER 37 C.F.R. §1.114 – Note: if the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - a. Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - ☒ Consider the arguments in the Appeal Brief or Reply Brief previously filed on **December 13, 2007 and May 16, 2008 including the Examiner's withdrawal of the sec. 101 rejections leaving allowable subject matter.**
    - ☐ Other: \_\_\_\_\_
  - b. Enclosed:
    - ☒ **Amendment/Response [17 pages]**
    - ☐ Information Disclosure Statement (IDS)
    - ☐ Affidavit(s)/Declarations
    - ☐ Other: \_\_\_\_\_
2. FEES – The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
  - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **50-2881** for **the Lesavich High-Tech Law Group, P.C. (32097)**.
  - b. **The following electronic fees (either credit card or deposit account) are enclosed:**
    - ☒ RCE fee required under 37 C.F.R. § 1.17(e)) (Small Entity) **\$405.00**
    - ☐ Extension of time fee (37 C.F.R. §1.136 and §1.17) (x months) (Small Entity)
    - ☐ Other: \_\_\_\_\_
  - c. CHECK in the amount of \$\_\_\_\_\_ is enclosed.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|   |                             |
|---|-----------------------------|
| Name: Stephen Lesavich, PhD   | Registration No. 43,749     |
| Signature:<br> | Date:<br>September 28, 2009 |

**CERTIFICATE OF TRANSMISSION 37 CFR § 1.8**

I hereby certify that, under **37 CFR § 1.8**, I directed that the correspondence identified above to electronically transmitted to United States Patent and Trademark Office via the USPTO PAIR electronic filing system (PAIR) on this **28<sup>th</sup>** day of **September, 2009**.

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|---|-----------------------------|
| Stephen Lesavich, PhD   | Registration No. 43,749     |
| Signature:<br> | Date:<br>September 28, 2009 |